

110TH CONGRESS
1ST SESSION

S. 2118

To encourage the use of research-proven programs in the Elementary and Secondary Education Act of 1965.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2007

Mr. LUGAR (for himself and Mr. BINGAMAN) introduced the following bill;
which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To encourage the use of research-proven programs in the Elementary and Secondary Education Act of 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Proven Programs for
5 the Future of Education Act of 2007”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—RESEARCH-PROVEN PROGRAMS AND COMPETITIVE
GRANTS

Sec. 101. Research-proven programs and competitive grants.

TITLE II—RESEARCH-PROVEN REFORM IN READING FIRST

Sec. 201. Purposes.

Sec. 202. Formula grants to state educational agencies.

Sec. 203. State formula grant applications.

Sec. 204. Information dissemination.

Sec. 205. Definitions.

TITLE III—DEFINITION OF RESEARCH-PROVEN PROGRAM

Sec. 301. Definition of research-proven program.

1 TITLE I—RESEARCH-PROVEN
2 PROGRAMS AND COMPETI-
3 TIVE GRANTS

4 SEC. 101. RESEARCH-PROVEN PROGRAMS AND COMPETI-
5 TIVE GRANTS.

6 Title IX of the Elementary and Secondary Education
7 Act of 1965 (20 U.S.C. 7801 et seq.) is amended by add-
8 ing at the end the following:

9 “PART G—RESEARCH-PROVEN PROGRAMS
10 “SEC. 9701. RESEARCH-PROVEN PROGRAMS AND COMPETI-
11 TIVE GRANTS.

12 “In all competitive grants that are awarded by the
13 Department to a State educational agency or a local edu-
14 cational agency or by a State educational agency to a local
15 educational agency under this Act, competitive preference
16 points equal to 10 percent of the total number of points
17 awarded may be awarded to a State educational agency
18 or local educational agency if such State educational agen-
19 cy or local educational agency proposes in the grant appli-

1 cation to use research-proven programs, when appro-
 2 priate.”.

3 **TITLE II—RESEARCH-PROVEN** 4 **REFORM IN READING FIRST**

5 **SEC. 201. PURPOSES.**

6 Section 1201(1) of the Elementary and Secondary
 7 Education Act of 1965 (20 U.S.C. 6361(1)) is amended
 8 by inserting “research-proven reading programs, or, at a
 9 minimum, are” after “that are”.

10 **SEC. 202. FORMULA GRANTS TO STATE EDUCATIONAL** 11 **AGENCIES.**

12 Section 1202 of the Elementary and Secondary Edu-
 13 cation Act of 1965 (20 U.S.C. 6362) is amended—

14 (1) in subsection (c)—

15 (A) in paragraph (2), by adding at the end
 16 the following:

17 “(C) PREFERENCE.—In making subgrants
 18 to eligible local educational agencies, a State
 19 educational agency shall award competitive
 20 preference points equal to 10 percent of the
 21 total number of points if applicants propose to
 22 use research-proven reading programs.”; and

23 (B) in paragraph (7)(A)(ii), by striking
 24 “learning system or program of reading instruc-

tion” and inserting “research-proven reading program, or, at a minimum, a program”; and (2) in subsection (d)—

(A) in paragraph (3)(A)(ii)(I), by inserting “that are research-proven reading programs, or, at a minimum, are” before “based on”; and

(B) in paragraph (4)—

(i) in subparagraph (A)(i), by inserting “that are research-proven reading programs, or, at a minimum, are” after “instruction”; and

(ii) in subparagraph (B)(ii), by inserting “research-proven reading programs, or, at a minimum, programs of” after “clause (i),”.

SEC. 203. STATE FORMULA GRANT APPLICATIONS.

Section 1203 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6363) is amended—

(1) in subsection (b)(4)—

(A) in subparagraph (B), by striking “instructional materials, programs, strategies, and approaches,” and inserting “research-proven reading programs, or, at a minimum, programs”;

1 (B) in subparagraph (C)(ii), by inserting
 2 “research-proven reading programs, or, at a
 3 minimum, programs” after “(ii)”; and

4 (C) in subparagraph (E), by inserting “re-
 5 search-proven reading programs, or, at a min-
 6 imum,” after “will use”;

7 (2) in subsection (c)(2)(B)—

8 (A) in clause (ii)—

9 (i) by striking “to individuals who
 10 teach reading to children and adults”;

11 (ii) by inserting “on research-proven
 12 reading programs, or, at a minimum, pro-
 13 grams” before “based on”; and

14 (iii) by inserting “to individuals who
 15 teach reading to children and adults” after
 16 “research”; and

17 (B) in clause (iii)—

18 (i) by striking “to other instructional
 19 staff”;

20 (ii) by inserting “on research-proven
 21 reading programs, or, at a minimum, pro-
 22 grams” before “based on”; and

23 (iii) by inserting “to other instruc-
 24 tional staff” after “research”; and

25 (3) in subsection (d)—

1 (A) in paragraph (2)(E), by inserting “re-
 2 search-proven reading programs, or, at a min-
 3 imum, programs based on” after “tutors and”;
 4 and

5 (B) in paragraph (3)—

6 (i) in subparagraph (A), by inserting
 7 “a research-proven reading program, or, at
 8 a minimum, a program” after “that is”;
 9 and

10 (ii) in subparagraph (C), by inserting
 11 “on research-proven reading programs, or,
 12 at a minimum, programs” after “instruc-
 13 tion”.

14 **SEC. 204. INFORMATION DISSEMINATION.**

15 Section 1207(a) of the Elementary and Secondary
 16 Education Act of 1965 (20 U.S.C. 6367(a)) is amended—

17 (1) in paragraph (1), insert “research-proven
 18 reading programs, or, at a minimum,” after “infor-
 19 mation on”; and

20 (2) in paragraph (3), insert “of research-proven
 21 reading programs, or, at a minimum,” after “in-
 22 struction”.

23 **SEC. 205. DEFINITIONS.**

24 Section 1208 of the Elementary and Secondary Edu-
 25 cation Act of 1965 (20 U.S.C. 6368) is amended—

1 (1) by redesignating paragraphs (6) and (7), as
 2 paragraphs (7) and (8), respectively; and

3 (2) by inserting after paragraph (5) the fol-
 4 lowing:

5 “(6) RESEARCH-PROVEN READING PROGRAM.—

6 “(A) IN GENERAL.—The term ‘research-
 7 proven reading program’ means a program that
 8 is determined to be a qualified program pursu-
 9 ant to subparagraph (B) and that is evaluated
 10 in not less than 2 studies, both of which studies
 11 meet the following minimum criteria:

12 “(i) The program was compared to a
 13 control group using alternative or tradi-
 14 tional methods.

15 “(ii) The study duration was not less
 16 than 12 weeks.

17 “(iii) Program and control schools
 18 were equivalent at pretest in reading
 19 achievement (within 0.5 standard devi-
 20 ations). Analyses of posttest differences
 21 were adjusted for pretest differences.

22 “(iv) The reading posttest measures
 23 used to compare program and control
 24 groups is a valid standardized or criterion-
 25 referenced test of reading, such as a State

1 accountability test, and is not inherent to
2 the program. For example, tests made by
3 the program authors, or tests of content
4 not studied by control students, do not
5 qualify.

6 “(v) The sample size of each study is
7 not less than 5 classes or 125 students per
8 treatment (10 classes or 250 students
9 overall). Multiple smaller studies may be
10 combined to reach this sample size collec-
11 tively.

12 “(vi) The median difference between
13 program and control students across all
14 qualifying studies is not less than 20 per-
15 cent of student-level standard deviation, in
16 favor of the program students.

17 “(B) REVIEW.—

18 “(i) IN GENERAL.—The Department
19 shall constitute a review panel to review
20 scientific reviews of reading evaluations
21 and determine which programs qualify as
22 qualified research-proven reading pro-
23 grams.

24 “(ii) PANEL MEMBERS.—Review panel
25 members shall have expertise in scientific

research review and in scientifically based reading research but may not have financial or personal connection with the authors or publishers of any programs.

“(iii) PANEL MEETINGS.—Review panel meetings shall be open to the public and minutes shall be made available to the public.”.

TITLE III—DEFINITION OF RESEARCH-PROVEN PROGRAM

SEC. 301. DEFINITION OF RESEARCH-PROVEN PROGRAM.

Section 9101 Note: This is the correct section reference, not 1901. of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) is amended—

(1) by redesignating paragraphs (37) through (43) as paragraphs (38) through (44), respectively; and

(2) by inserting after section (36) the following:

“(37) RESEARCH-PROVEN PROGRAM.—

“(A) IN GENERAL.—The term ‘research-proven program’ means a program that is determined to be a qualified program pursuant to subparagraph (B) and that is evaluated in not less than 2 studies, both of which studies meet the following minimum criteria:

1 “(i) The program was compared to a
2 control group using alternative or tradi-
3 tional methods.

4 “(ii) The study duration was not less
5 than 12 weeks.

6 “(iii) Program and control schools
7 were equivalent at pretest in achievement
8 (within 0.5 standard deviations). Analyses
9 of posttest differences are adjusted for pre-
10 test differences.

11 “(iv) The posttest measures used to
12 compare program and control groups is a
13 valid standardized or criterion-referenced
14 test, such as a State accountability test,
15 and is not inherent to the program. For
16 example, tests made by the program au-
17 thors, or tests of content not studied by
18 control students, do not qualify.

19 “(v) The sample size of each study is
20 not less than 5 classes or 125 students per
21 treatment (10 classes or 250 students
22 overall). Multiple smaller studies may be
23 combined to reach this sample size collec-
24 tively.

1 “(vi) The median difference between
2 program and control students across all
3 qualifying studies is not less than 20 per-
4 cent of student-level standard deviation, in
5 favor of the program students.

6 “(B) REVIEW.—

7 “(i) IN GENERAL.—The Department
8 shall constitute a review panel to review
9 scientific reviews of program evaluations
10 and determine which programs qualify as
11 research-proven programs.

12 “(ii) PANEL MEMBERS.—Panel mem-
13 bers shall have expertise in scientific re-
14 search review but may not have financial
15 or personal connection with the authors or
16 publishers of any programs.

17 “(iii) PANEL MEETINGS.—Panel meet-
18 ings shall be open to the public and min-
19 utes shall be made available to the pub-
20 lic.”.

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